

### **REMARKS**

This is in response to the final Office Action mailed March 20, 2008. In the Office Action, the Examiner notes that claims 8-21 are pending and rejected.

In view of the following discussion Applicants submit that none of the claims now pending in the application are indefinite or obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of these claims are now in allowable form.

It is to be understood that Applicants do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant response.

### **REJECTION OF CLAIMS 8-21 UNDER 35 U.S.C. §103**

The Examiner has rejected claims 8-21 under 35 U.S.C. §103(a) as being unpatentable over Day et al. (U.S. Pat. 5,996,015, hereinafter "Day") in view of DeMoney (U.S. Patent 6,065,050, hereinafter "DeMoney") and Katinsky et al. (U.S. Pat. 6,452,609, hereinafter "Katinsky"). Applicants respectfully disagree.

Applicants respectfully submit that the combination of Day, DeMoney and Katinsky, alone or in any permissible combination, fail to teach or to suggest the limitations of Applicants independent claims as a whole. Applicants' independent claim 8 positively recites:

8. In an information distribution system including provider equipment and subscriber equipment, said provider equipment communicating to said subscriber equipment information streams including content requested by said subscriber equipment, an apparatus comprising:

a session manager, for interacting with said subscriber equipment and maintaining a plurality of playlists, wherein each playlist is associated with a respective subscriber, said playlist defining a **plurality of content streams** to be provided to said subscriber equipment, said playlist further identifying reverse and fast-forward streams associated with each one of said **plurality of content streams**, each content stream comprising a plurality of splicing entry and exit points dispersed therein to enable transitioning between said plurality of content

streams, wherein said splicing entry and exit points are identified within transport packet headers of each one of said plurality of content streams;

a server, for storing content streams; and

a server controller for retrieving from said server, content streams defined by said playlist, said content streams being sequentially provided to said subscriber equipment; and

said session manager modifying said playlist in response to playlist modification commands received from said subscriber equipment, wherein a next stream in said playlist is spliced at an entry point associated with an exit point of a current stream being sent to said subscriber equipment. (Emphasis added).

Applicants' independent claim 16 recites similar limitations. In an exemplary embodiment, Applicants' invention ensures smooth transitions between content streams, including rewind and fast-forward streams, all content assets, such as video, audio and other information subject to inclusion in the playlist. (See Applicants' specification, p. 10, ll. 16-31). To accomplish this, the invention includes storing a "plurality of content streams," with said content streams including a track of an audio/video program stored at normal play speed, and additional rewind (REW) and fast forward (FF) tracks of the respective program stored in separate repositories (e.g. servers 125<sub>1-n</sub> of FIG. 1). When a subscriber requests a REW or FF of a program being viewed at regular speed, the appropriate repository or server begins streaming the REW or FF track to the subscriber in response to the request (See Applicants' specification, p. 6, ll. 15-28). Thus, a REW or FF stream does not have to be *constructed* at every request therefor, but rather an existing stream is readily available for direction to the subscriber upon such request without the need for any additional processing (See *Id.*).

Applicants respectfully submit that the combination of Day, DeMoney and Katinsky, alone or in any permissible combination, fails to teach or suggest at least the limitation of a plurality of "reverse and fast-forward streams associated with each one of said **plurality of content streams**" as recited in independent claim 8.

The present Office Action admits that "Day is silent on how VCR style functionalities are achieved" (p. 4, ll. 7-8). Therefore, Day does not teach or suggest "reverse and fast-forward streams associated with each one of said **plurality of content streams**."

Katinsky teaches a user friendly media player at the user terminal using

“pageless” internet site where media streams are delivered to the user without the user having to navigate to different pages (See Katinsky, Abstract), but is silent on any teaching or suggestion that could be construed as “reverse and fast-forward streams associated with each one of said **plurality of content streams**.” The Office Action has not put forth any argument suggesting Katinsky teaches this limitation either.

The present Office Action, however, suggests the limitation of “reverse and fast-forward streams associated with each one of said **plurality of content streams**” is taught by DeMoney col. 5, ll. 1-60. The Applicants respectfully disagree. In contrast to the claimed invention separately storing a “**plurality of content streams**” associated with respective REW and FF tracks, DeMoney utilizes “respective index tables to switch back and forth between normal and trick play video streams” (see DeMoney, col. 5, ll. 26-27). Describing how a FF stream is constructed, DeMoney for example provides:

When a user is viewing the normal play stream and desires to fast forward through the video stream, the media server examines the current normal play time and offset of the normal play stream being output in order to **halt the normal play stream** at an appropriate point. The media server also uses the current normal play time to **retrieve the appropriate offset in the fast forward stream index table**. This offset is then used to begin play of the fast forward stream at the appropriate point or frame when the normal play stream is halted (see DeMoney, col 5, ll. 27-37).

Thus, DeMoney does not teach a “**plurality of content streams**,” much less “reverse and fast-forward streams associated with each one of said **plurality of content streams**.” DeMoney instead only teaches **one content stream**, accessed at points defined by a look-up table associated with a desired “trick play” function.

Moreover, the method disclosed in DeMoney decidedly **teaches away** from the claimed invention, because DeMoney is directed at exclusively storing “normal play video streams” (see DeMoney, col. 5, ll. 12-13) and constructing “trick play” functions therefrom. If DeMoney were in any way directed at the claimed “reverse and fast-forward streams associated with each one of said **plurality of content streams**,” there would be no need for DeMoney to *construct* “trick streams” based on index tables or any other means, because such “trick streams” would already be available.

Thus, for at least the above reasons, Applicants respectfully submit that independent claims 8 and 16 are not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Furthermore, claims 9-15 and 17-21 depend, either directly or indirectly, from independent claims 8 and 16 and recite additional features thereof. As such, and at least for the same reasons as discussed above, Applicants submit that these dependent claims also fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Therefore, Applicants respectfully request that the rejections be withdrawn.

### **CONCLUSION**

Thus, Applicants submit that claims 8-21 are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 383-1438 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: \_\_\_\_\_

*5/12/08*

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